

RESTRICTION PRESENTED

The claims have been restricted into the following two (2) patentably distinct groups of inventions, which are summarized as follows:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-4, 7-10	A method for preparing polyepitope chimeric gene vaccines
II	5, 6, 11	A polyepitope chimeric gene

In addition to the restriction into Groups I and II, the Examiner is also requiring election of a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The species as asserted by the Examiner are as follows:

Antigen:

1. Infectious diseases
2. Tumors
3. Autoimmune diseases

With regard to the above antigens, the Examiner is requiring that a single species from one of the three groups of antigens listed above be elected.

APPLICANTS' ELECTION

Applicants hereby elect the subject matter of Group I, claims 1-4 and 7-10, drawn to a method for preparing polyepitope chimeric gene vaccines for prosecution at this time. In addition, applicants hereby elect for prosecution at this time, the species *Plasmodium falciparum* from the antigens of Group 1 directed to antigens of infectious diseases.

REMARKS

Claims 1-12 are now pending in the subject U.S. patent application. Claims 1-11 as filed have been subjected to a Restriction/Election Requirement. Applicants

point out to the Examiner that Claim 12 has been left out of the restriction analysis and the list of pending claims. Claim 12 was added by preliminary amendment on June 13, 2006. Claim 12 was indeed received by the U.S. Patent and Trademark Office (USPTO), as the preliminary amendment of June 13, 2006 can be viewed in the image of the file wrapper using the USPTO's Patent Application Information Retrieval (PAIR) system. Accordingly, applicants respectfully request that claim 12 be officially made of record.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group I, claims 1-4 and 7-10, and the antigen species, *Plasmodium falciparum*, for prosecution at this time. Claims 1-4 and 7-10 encompass the elected species.

Applicants respectfully submit that the election of the above-mentioned representative species does not place an undue burden on the Examiner to perform a complete search of the defined areas. The present species elections are made without traverse to the extent that it is understood that, upon the finding of an allowable species, examination will continue until all species have been examined, or a non-allowable species is found, all in accordance with the procedures set forth in the Manual of Patent Examining Procedure § 803.02.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter, and to request rejoinder of unelected subject matter as maybe appropriate as prosecution progresses.

CONCLUSIONS

Should there be any minor issues outstanding in this matter the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

Application Serial No.: 10/566,697

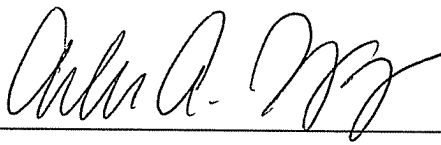
DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

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